

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 2018 - SB 1656**

March 28, 2011

**SUMMARY OF BILL:** Creates a Class A misdemeanor offense for the assault of a sports official by a non-participant in a sports event. Requires a minimum 30-day sentence and a minimum fine of \$1,000 for a first offense. Requires a minimum six-month sentence and a minimum fine of \$5,000 for a second or subsequent offense. Creates a Class E felony for a violation in which the non-participant assembles with five or more other non-participants for the purpose of assaulting a sports official.

**ESTIMATED FISCAL IMPACT:**

**Increase State Revenue – Not Significant**

**Increase State Expenditures - \$5,600/Incarceration\***

**Increase Local Revenue – Not Significant**

**Increase Local Expenditures – Not Significant**

**Assumptions:**

- The Department of Correction (DOC) estimates one additional offender every five years will be admitted for assembling with five or more other non-participants for the purpose of assaulting a sports official.
- According to the U.S. Census Bureau, population growth in Tennessee has been 1.12 percent per year for the past 10 years, yielding a projected compound population growth of 11.78 percent over the next 10 years. No significant incarceration cost increase will occur due to population growth in this period. The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on one additional Class E felony every five years.
- According to DOC, the average operating cost per offender per day for calendar year 2011 is \$60.62. The average post-conviction time served for a Class E felony is 1.27 years (463.87 days) at a cost of \$28,119.80 (\$60.62 x 463.87).
- The annualized time served per conviction is 92.77 days (0.20 annual number of convictions x 463.87 days served). The annualized cost per conviction is \$5,623.72 (\$60.62 x 92.77 days).
- Any increase in the case loads for the court system can be accommodated within existing resources.
- There will not be a sufficient number of misdemeanor convictions to have a significant impact on state or local governments relative to the minimum sentences imposed by this bill.

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- Based on the Fiscal Review Committee's 2008 study of incarceration costs and fines, collection of fines for felony offenses is negligible. There will not be a significant increase in revenue as a result of the mandatory minimum fines for these offenses.

*\*Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

/lsc